

**PUBLIC HEALTH DEPARTMENT[641]****Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 135.143, the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 113, “Public Health Response Teams,” Iowa Administrative Code.

The current rules in Chapter 113 allow only sponsor agencies to sponsor a public health response team (PHRT). The proposed amendments provide that either the Department or a sponsor agency may sponsor a disaster medical assistance team (DMAT), environmental health response team (EHRT), logistical support response team (LSRT), Iowa mortuary operational team (IMORT), or other public health response team (PHRT) as directed by the Department Director.

The proposed amendments also change the name of the Center for Disaster Operations and Response to the Bureau of Emergency and Trauma Services.

Persons may present their views in writing. Any interested person may make written suggestions or comments on the proposed amendments on or before February 9, 2016. Such written comments should be directed to Clark Christensen, Executive Officer II, Department of Public Health, 321 East 12th Street, Des Moines, Iowa 50319. E-mail may be sent to [Clark.Christensen@idph.iowa.gov](mailto:Clark.Christensen@idph.iowa.gov).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 135.143.

The following amendments are proposed.

ITEM 1. Amend the following definitions in rule **641—113.1(135)**:

“*Disaster medical assistance team*” or “*DMAT*” means a public health response team that is sponsored by the department or a sponsor agency, and approved by the department, to provide medical assistance in the event of a disaster or threatened disaster or other incident as defined in Iowa Code section 135.143.

“*Environmental health response team*” or “*EHRT*” means a public health response team that is sponsored by the department or a sponsor agency, and approved by the department, to provide environmental health expertise and assistance in the event of a disaster or threatened disaster or other incident defined in Iowa Code section 135.143.

“*Iowa mortuary operational response team*” or “*IMORT*” means a public health response team that is sponsored by the department or a sponsor agency, and approved by the department, to provide decedent care in the event of a mass fatality disaster or threatened disaster or other incident defined in Iowa Code section 135.143.

“*Logistical support response team*” or “*LSRT*” means a public health response team that is sponsored by the department or a sponsor agency, and approved by the department, to provide logistical support and assistance in the event of a disaster or threatened disaster or other incident defined in Iowa Code section 135.143.

“*Public health response team*” or “*PHRT*” means a team of professionals, including licensed health care providers, nonmedical professionals skilled and trained in disaster or emergency response, and public health practitioners, that is sponsored by the department or a sponsor agency, a hospital or other entity, and approved by the department, to provide assistance in the event of a disaster or threatened disaster or other incident defined in Iowa Code section 135.143. “Public health response team” shall include a disaster medical assistance teams team, an environmental health response team, a logistical support response team, the Iowa mortuary operational response team and other teams established and

approved upon written order of the director to supplement and support disrupted or overburdened local medical and public health personnel, hospitals, and resources.

ITEM 2. Amend subrule 113.2(1) as follows:

**113.2(1)** The department, through the division of acute disease prevention, ~~and emergency response and environmental health, center for disaster operations and response~~ bureau of emergency and trauma services, shall establish, register, and approve public health response teams to supplement and support disrupted or overburdened local medical and public health personnel, hospitals, and resources in the event of a disaster or threatened disaster or other incident as defined in Iowa Code section 135.143. The primary purpose of the public health response teams is to respond to Iowa incidents and to provide support for Iowa medical and public health personnel, hospitals, and resources. A public health response team may also be requested to respond to an out-of-state disaster or emergency pursuant to the emergency management assistance compact at Iowa Code section 29C.21.

ITEM 3. Amend subrules 113.4(1) and 113.4(3) as follows:

**113.4(1)** *Registration and approval.* An individual may apply to the department ~~through a sponsor agency~~ to be a public health response team member. The applicant shall apply on the Iowa statewide registry of volunteers (iSERV) Web site or on a form approved by the department and shall provide all requested information requested by the department and sponsor agency. The department shall register and approve an individual to serve as a PHRT member when the department is satisfied that the individual satisfies the requirements of this chapter and will perform on a PHRT in compliance with Iowa Code section 135.143 and this chapter. Upon registration and approval of an individual, the department shall provide the individual with written notification that the individual is registered with the department and has been approved to serve on a public health response team. The written notification shall also include the effective date of the approval and the terms and conditions of approval.

**113.4(3)** *Effect of revocation.* If the department revokes a public health response team member's approval, the action ~~shall revoke~~ may preclude future eligibility, but shall not negate defense and indemnification coverage or other protection for covered acts or omissions which occurred during the effective date of approval.

ITEM 4. Amend paragraphs **113.5(1)“a”** and **“b”** as follows:

*a.* An entity may make application to the department to be a sponsor agency ~~of a PHRT~~ pursuant to subrule 113.3(1). An individual may make application ~~to the department~~ to be a member of a PHRT pursuant to subrule 113.4(1).

*b.* The department, ~~in conjunction with the sponsor agencies,~~ shall establish the Iowa Volunteer Public Health Response Team Operational Procedures Manual. The operational procedures shall be in writing and shall be provided to each PHRT member. All PHRT members and sponsor agencies shall follow the PHRT operational procedures as established by the department. The Iowa Volunteer Public Health Response Team Operational Procedures Manual is available through the Iowa Department of Public Health, ~~Center for Disaster Operations and Response~~ Bureau of Emergency and Trauma Services, Lucas State Office Building, Des Moines, Iowa 50319-0075.

ITEM 5. Amend paragraph **113.5(2)“b”** as follows:

*b.* The sponsor agency ~~for each team~~ or department, as applicable, shall be responsible for maintaining adequate staffing.

ITEM 6. Amend subrule 113.5(3) as follows:

**113.5(3)** *Licensure and educational requirements.*

*a.* Each PHRT member shall hold and maintain an active unrestricted license, registration, or certification to practice in Iowa (if applicable) in the member's respective medical or health care profession.

*b.* No change.

*e.* ~~In addition to the requirements in paragraph 113.5(3)“b,” the PHRT leadership shall complete training as specified in the team annex to the Iowa Volunteer Public Health Response Team Operational Procedures Manual.~~

~~d. c.~~ A sponsor agency ~~shall~~ may provide specific position training to PHRT members as determined to be necessary by the sponsor agency and as approved by the department.

~~e. d.~~ ~~A sponsor agency, in conjunction with the~~ The department, shall develop and implement training exercises to test the team's notification process, deployment readiness, and response capabilities.

~~f. e.~~ The sponsor agency or department, as applicable, shall be responsible for documenting each PHRT member's completion of required training.

ITEM 7. Amend subrule 113.5(4) as follows:

**113.5(4)** *Deployment and standdown.*

a. No change.

~~b. On-call team schedules shall be established and distributed by the department and shall be followed by the PHRTs and sponsor agencies.~~

~~e. b.~~ Deployment and standdown procedures are outlined in the Iowa Volunteer Public Health Response Team Operational Procedures Manual and shall be followed by all PHRT members.

ITEM 8. Amend subrule 113.7(1) as follows:

**113.7(1)** Upon obtaining knowledge or becoming aware of any injury allegedly arising out of the negligent rendering of, or the negligent failure to render, medical or other services as a public health response team member, ~~such~~ the member ~~or the member's sponsor agency~~ shall provide written notice to the department, as soon as practicable, containing to the extent obtainable the circumstance of the alleged injury, the name and address of the injured, and any other relevant information.